

Complete and send this form, together with applicable fee(s), to: **Mail****Mail Stop ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated in this form or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

36257 7590 10/15/2004

PARSONS HSUE & DE RUNTZ LLP
655 MONTGOMERY STREET
SUITE 1800
SAN FRANCISCO, CA 94111

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Robert A. Hulse

(Depositor's name)

Robert A. Hulse

(Signature)

Dec. 28, 2004

(Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/869,371 | 02/26/2002 | Thomas W. Hagler | M-10489-3P US | 2871 |

| | | |
|--|-----------|--|
| TITLE OF INVENTION: METHOD AND APPARATUS FOR SPECTRUM ANALYSIS AND ENCODER | | 12/29/2004 JADD02 00000013 192555 09869371 |
| 01 FC:2501 | 700.00 DA | 02 FC:8001 30.00 DA |

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | YES | \$685 700 | 50 | \$685 730 | 01/18/2005 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|-----------------|----------|----------------|
| SMITH, ZANDRA V | 2877 | 356-310000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Fenwick & West LLP

2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

ADVANCED PHOTOMETRICS, INC.

GRASS VALLEY, CA

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies 10

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 19-2555 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Robert A. Hulse

Typed or printed name Robert A. Hulse

Date Dec. 28, 2004

Registration No. 48,473

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FENWICK & WEST LLP

SAN FRANCISCO OFFICE | EMBARCADERO CENTER WEST
 275 BATTERY ST., SUITE 1500 | SAN FRANCISCO, CA 94111
 TEL 415.875.2300 | FAX 415.281.1350 | WWW.FENWICK.COM

FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: December 28, 2004

CLIENT-MATTER No.: 24498-09459/US

To:

| NAME | FAX NO. | PHONE NO. |
|---|--------------|--------------|
| Issue Fee Payment U.S. Patent and Trademark Office | 703-746-4000 | 703-305-8283 |

FROM: Robert A. Hulse
Reg. No. 48,473

PHONE: (415) 875-2444

SENT BY: Tiffany Bell

PHONE: (415) 875-2445

RE: In Re: U.S. Patent Application No. 09/869,371

NUMBER OF PAGES WITH COVER

PAGE: 4

ORIGINAL WILL NOT FOLLOW

MESSAGE:

Please see attached documents:

Transmittal

Issue Fee Transmittal (in duplicate)

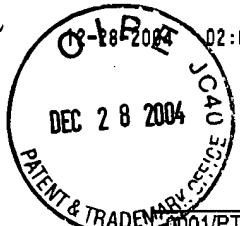
Thank you.

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR THEIR DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF THEY ARE NOT CLEAR,
 PLEASE CALL Tiffany Bell AT (415) 875-2445 AS SOON AS POSSIBLE.

24498/09459/3F/5134784.1



02:02PM

FROM-FENWICK&WEST SF139

+14153950879

T-364 P.002/004 F-828

| | | | |
|---|-----------------------|------------------------|-------------|
|  TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i> | Application Number | 09/869,371 | |
| | Filing Date | February 26, 2002 | |
| | First Named Inventor | Thomas W. Hagler | |
| | Group Art Unit Number | 2871 | |
| | Examiner Name | Zandra V. Smith | |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 24498-09459 |

TRANSMITTAL FORM

*(to be used for all correspondence during pendency of
filed application)*

REMARKS:

SIGNATURE OF ATTORNEY OR AGENT

| | | |
|--------------------|---|--|
| Signature: | | |
| Attorney/Reg. No.: | Robert A. Hulse, Reg. No. 48,473 | Dated: |

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Best Office to Addressee" service pursuant to 37 CFR 1.10.

| | | |
|---|------------------------|-----------------------------|
| Signature: | <i>Robert A. Hulse</i> | |
| Typed or Printed Name: | Robert A. Hulse | Dated: <u>Dec. 28, 2006</u> |
| Express Mail Mailing Number (optional): | | |

24498/09459/SF/5134782.1